

Appln. No. 10/709,531
Docket No. 41FR-124392/GEN-0178-P

REMARKS / ARGUMENTS

Applicant notes that on page 2 of the instant Office Action (Paper 030905), the Examiner remarks that Applicant's traversal of the election/restriction "is *not* found persuasive" (emphasis added). However, in view of the disposition of the claims on the Summary Page and in the Office Action as a whole, Applicant considers the inclusion of the word "*not*" as noted above to be a typographical error, and interprets the Examiner's remarks on page 2 to more properly read "This [traversal] *is* found to be persuasive."

If the Examiner's intention is contrary to Applicant's understanding, Applicant respectfully requests further clarification thereof.

Status of Claims

Claims 1-22 are pending in the application. Claims 1, 6, 11 and 18 stand rejected. Claims 2-5, 7-10, 12-17 and 19-22 are objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant appreciates the Examiner's comments regarding the allowability of the noted claims. Applicant has canceled Claims 1, 11 and 18, amended Claims 2, 6, 12 and 19, and added new Claim 23, leaving Claims 2-10, 12-17 and 19-23 for consideration upon entry of the present Amendment.

Applicant respectfully submits that the rejections under 35 U.S.C. §102(b) have been traversed, that no new matter has been entered, and that the application is in condition for allowance.

Rejections Under 35 U.S.C. §102(b)

Claims 1, 11 and 18 stand rejected under 35 U.S.C. §102(b) as being anticipated by Morel et al. (U.S. Patent No. 5,103,198, hereinafter Morel).

Applicant has canceled Claims 1, 11 and 18, thereby obviating this rejection.

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Claim 6 stands rejected under 35 U.S.C. §102(b) as being anticipated by Menocal (U.S. Patent No. 3,631,369, hereinafter Menocal).

Applicant traverses this rejection for the following reasons.

Applicant has amended Claim 6 to now depend from an allowable claim, as set forth below, thereby traversing this rejection.

In view of the amendment and remarks set forth herein, Applicant respectfully submits that the Examiner's rejections under 35 U.S.C. §102(b) have been obviated and/or traversed, and requests that the Examiner reconsider and withdraw all rejections under 35 U.S.C. §102(b).

Allowable Subject Matter

Claims 2-5, 7-10, 12-17 and 19-22 are objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has rewritten Claims 2, 12 and 19 in independent form including limitations of the base claim. Claims 3-10 depend from Claim 2, Claims 13-17 depend from Claim 12, and Claims 20-22 depend from Claim 19.

Accordingly, Applicant submits that Claims 2-10, 11-17, and 18-22 are now directed to allowable subject matter and respectfully requests notice thereof.

Regarding New Claim 23

Applicant has added new Claim 23, which is directed to subject matter similar to that of Claim 19, but in alternative language. No new matter has been added as antecedent support may be found in the specification (including drawings and claims) as originally filed, such as at Claims 8 and 19 for example.

In view of the remarks set forth above, Applicant submits that new Claim 23 is directed to allowable subject and respectfully requests entry and notice of allowance thereof.

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In light of the forgoing, Applicant respectfully submits that the Examiner's rejections under 35 U.S.C. §102(b) have been traversed, and respectfully requests that the Examiner reconsider and withdraw these rejections.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above identified Deposit Account.

Respectfully submitted,

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